

FREQUENTLY ASKED QUESTIONS AFTER AN ELECTION

CLOSING THE POLLS

What happens after the polls close at 8 p.m. on Election Day?

The commissioners announce that voting is terminated at 8 p.m. and any voter in line at 8 p.m. is allowed to vote. The commissioners are required to secure the voting machines in the presence of the watchers and leave the count on the voting machines in full view of the watchers. They cause each voting machine to produce a set of 4 identical official election results reports and they examine, sign and certify each set. If they need technical assistance in producing the official election results, they call the Clerk who provides technical assistance through the voting machine technicians.

The commissioners complete the Machine Certificates, sign them and sign and certify to the correctness of the duplicate poll lists. They announce the results of the election in the order of offices, candidates, and propositions listed on the ballot. They post the results of the election for public review at a conspicuous place at the polling place for public viewing. [A **machine certificate** states that (1) machines were secured against further voting, (2) the exact time secured, (3) the serial number on each voting machine, (4) the number shown on the public counter of each machine, and the number shown on the protective counter of each machine.]

The commissioners complete in duplicate the payroll affidavit and place a duplicate and all duplicate records of challenges, precinct register corrections, voter identification affidavits, any physician's certificates, and any address confirmation cards in the "Registrar of Voters" envelope, seal it and attach it to the precinct register and seal the precinct register.

The commissioners seal original precinct register corrections, challenges of voters, official election zero proof report, a copy of official election results reports, one duplicate poll list, and a copy of the machine certificates in the "Put in Voting Machine" envelope and place or attach to the precinct register. Finally, the commissioners lock the doors of the voting machines and seal the keys in the key envelope, signed by all commissioners. The commissioner-in-charge mails a copy of the paperwork to the Secretary of State and delivers the originals and keys to the Clerk of Court, including the election result cartridges.

TRANSMISSION OF ELECTION RESULTS

How are votes transmitted from the Clerk's office to the Secretary of State's office?

The voting machine data is read from the election result cartridge and transmitted immediately over a secure dedicated internal network (not the internet) to the Secretary of State's office. The results from the parish board's counting of the absentee by mail and early voting totals are entered into the database by the Clerk and transmitted just as the machine data is transmitted.

Where can I view the election results?

The election results are posted in real time as they are transmitted on the Secretary of State's website www.GeauxVote.com. Also, the Clerk makes the election results available to the press and the public.

OPENING OF THE VOTING MACHINES

What happens to voting machines after an election?

Machines remain sealed and are transported back to the voting machine warehouse no later than 48 hours after the polls close on election day.

When are the voting machines opened for inspection?

Machines are opened the 3rd day after the election unless the election has been challenged in court and the court has ordered that the machines be opened at an earlier time. If the 3rd day is a holiday, the machines are opened the 2nd day following the election.

Who opens the machines?

The Clerk of Court in the parish is responsible for opening the machines with the assistance of at least 1 member of the parish board of election supervisors.

How do I know when the machines will be opened and is it open to the general public and candidates?

The Clerk is required to post in his office a notice of the time and place where the machines will be opened after the election, if no court has ordered an earlier opening. The general public and candidates or their representatives are welcome to view the opening as it is an open meeting.

What happens at the machine opening?

The seals on the voting machines are broken and the public and protective counter numbers are recorded from each machine. The public counter number is the number of voters who voted on that machine during the election. The protective counter number is the number of votes received on the lifetime of that machine. The election results are then verified before the next machine is opened, but to facilitate the verification of election results, two or more voting machines may be opened simultaneously and the results verified.

How are election results verified?

The Clerk, deputy clerk or other employees of his office, in the presence of the parish board of election supervisors or their representatives and the candidates or their representatives, verify the total votes cast for each candidate and the total votes cast for and against each proposition as shown on the voting machines or the voting machine election result sheets and the total number of absentee by mail and early voting votes cast for each candidate and the total number of absentee by mail and early voting votes cast for and against each proposition as shown by the tabulation blanks of absentee by mail and early voting votes filed with the clerk by the parish board. The machines votes cast are required to be shown separately by each precinct and the absentee by mail and early voting votes cast are required to be shown as the total number of votes cast for each candidate and the total number of votes cast for and against each proposition.

How long does the general public and candidates have to view the machine results?

The candidates or their representatives are to be given a reasonable opportunity to inspect the machine. The process must remain open for at least 30 minutes from the time of opening to allow the general public and the candidates' time to attend and inspect. For example, if the Clerk sets the opening

time at 10:00 a.m., then the earliest it can be concluded is 10:30 a.m., so as to allow a reasonable amount of time for public viewing.

Can someone request to reinspect the voting machines?

Yes, see the procedures outlined below:

REINSPECTION OF VOTING MACHINES

- A candidate may request the reinspection of voting machines by filing a written request with the Clerk of Court.
- The written request must be received by the Clerk no later than the last working day prior to the date for inspection. This is the 4th day following the election.
- The reinspection shall be held at 10:00 a.m. on the 5th day following the election and at any time ordered by a court.
- If the 5th day is a holiday, the reinspection shall be held on the following day at 10:00 a.m.
- The Clerk is required to post notice of time and date of reinspection and candidate requesting it in his office.
- Candidate requesting reinspection is responsible for all reasonable costs associated with the reinspection, including but not limited to \$50 to each member or authorized member's designee of the parish board of election supervisors for attendance and responsibility of the reinspection. Reimbursement for attending may never exceed one meeting payment for all activities for the day.

VERIFICATION OF ELECTION RESULTS

What happens to the election results?

At the opening of the machines, the sealed precinct registers are removed from the machine and immediately returned to the registrar of voters. The "Put in Voting Machine" envelope is removed and preserved unopened except upon court order or following the time to contest an election (9 days after the election). If an election contest suit is filed timely, the Clerk continues to preserve these records unopened, subject to order of the court, until the final judgment.

What is inside the "Put in Voting Machine" envelope?

- The official election zero proof report
- One copy of the official election results reports
- One of the duplicate poll lists
- A copy of the machine certificates

What is an official election zero proof report?

After the commissioners take their oath at the beginning of the election day and before the time for opening the polls, the commissioners, in the presence of the watchers, prepare the polling place for voting. They compare the voting machine serial numbers on the machines with the numbers on the key envelope to make sure they match. They also compare the protective counter numbers on the key envelope with the protective counter numbers on the machines. Then they open the key envelope and open the door of each voting machine and cause them to produce a zero proof sheet to determine that

each counter on each machine is set at zero. They sign and certify to the correctness of each zero proof sheet and post it within the polling place.

What is an official election results report?

At the termination of voting on election day, the commissioner causes each voting machine to produce a set of four identical official election results reports showing the votes for each candidate in each race and for each question on the ballot.

What is a poll list?

It is a booklet provided by the Secretary of State in the election supplies for each precinct which is numbered consecutively from one (1) to the end. The commissioners are required to enter the name of every person who votes at the polling place on the poll lists. They also list provisional voters and note any irregularities that occurred during voting, such as a fled voter who fails to make at least one selection in the election before leaving the voting machine.

What is a machine certificate?

A machine certificate certifies that (1) machines were secured against further voting, (2) the exact time secured, (3) the serial number on each voting machine, (4) the number shown on the public counter of each machine, and the number shown on the protective counter of each machine.

What if I want to view these records?

As stated above, the "Put in Voting Machine" envelope cannot be opened until after the delay for filing an election contest suit has lapsed and no suit has been filed. It can only be opened upon court order prior to that time.

What if I want a recount of the results?

See "Reinspection of Voting Machines" above. The absentee by mail and early voting ballots may be recounted by following these procedures:

RECOUNT OF ABSENTEE AND EARLY VOTING BALLOTS

- A candidate may request the recount of absentee and early voting ballots by filing a written request with the Clerk of Court, if the number of absentee and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for the office.
- The written request must be received by the Clerk no later than the last working day prior to the date for recount. This is the 4th day following the election.
- The recount shall be held at 10:00 a.m. on the 5th day following the election and at any time ordered by a court.
- If the 5th day is a holiday, the recount shall be held on the following day at 10:00 a.m.
- The Clerk is required to post notice of time and date of recount and candidate requesting it in his office.
- Candidate requesting recount is responsible for all reasonable costs associated with the recount, including but not limited to \$50 to each member or authorized member's designee of the parish board of election supervisors for attendance and responsibility for the recount. Reimbursement for attending may never exceed one meeting payment for all activities for the day.

INSPECTION OF MAIL BALLOT ENVELOPE FLAPS

- A candidate may request the inspection of the flaps removed from the valid absentee by mail ballots and the flaps removed from the valid early voting ballots when paper ballots are used for early voting.
- The written request must be received by the Clerk no later than the last working day prior to the date for inspection. This is the 4th day following the election.
- The inspection shall be held at 10:00 a.m. on the 5th day following the election and at any time ordered by a court.
- If the 5th day is a holiday, the inspection shall be held on the following day at 10:00 a.m.
- The Clerk is required to post notice of time and date of inspection and candidate requesting it in his office.
- Candidate requesting inspection is responsible for all reasonable costs associated with the inspection, including but not limited to \$50 to each member or authorized member's designee of the parish board of election supervisors for attendance and responsibility for the inspection. Reimbursement for attending may never exceed one meeting payment for all activities for the day.

ELECTION CONTESTS

What if I want to challenge or contest a candidate election?

A candidate who alleges that, except for substantial irregularities or error, or except for fraud or other unlawful activities in the conduct of the election, he would have qualified for a general election or would have been elected may bring an action contesting the election.

What if I want to challenge a proposition election?

A person in interest may bring an action contesting any election in which any proposition is submitted to the voters if he alleges that except for irregularities or fraud in the conduct of an election the result would have been different.

What if I want to challenge the call of a special election?

A qualified elector may bring an action objecting to the calling of a special election to fill a vacancy if he alleges that no special election should have been called or that the special election was called on an improper day.

What are the procedures for contesting an election?

The Louisiana Election Code, R.S. 18:1401-1453, provides for the laws on contests and challenges to elections. Louisiana's laws can be viewed on the Legislature's website at www.legis.state.la.us

When can I challenge or contest a candidate election?

An action contesting any election involving election to office shall be instituted on or before 4:30 p.m. of the 9th day after the date of the election.

When can I challenge or contest a proposition election?

An action contesting an election on a proposed constitutional amendment shall be instituted not later than 4:30 on the 10th day after promulgation of the results of the election by the Secretary of State.

An action contesting an election submitting a proposition to the voters, except constitutional amendments or the issuance of bonds or levying of a tax, shall be instituted not later than 4:30 p.m. of the 30th day after the official promulgation of the results of the election.

An action contesting an election on a bond or tax election shall be instituted not later than 4:30 p.m. of the 60th day after official promulgation of the results.

An action contesting the certification of a recall petition shall be instituted not later than 4:30 p.m. of the 15th day after the governor has issued the proclamation ordering the recall election or not later than 4:30 p.m. of the 15th day after the last day for the governor to call the election if no recall election is called.

When can I challenge or contest the call of a special election?

An action objecting to the calling of a special election shall be instituted not later than 4:30 p.m. of the 14th day after the calling of the election.